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**Fiscal Year 2004 National Park Service Federal Land Acquisition Program**

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Program or Park Area: **Emergencies, Hardships, Relocation, and Deficiencies**

Location: Servicewide

Land Acquisition Limitation Amount Remaining: N/A

Cost Detail:     **\$4.0 million**

No estimated annual operating costs are associated with this acquisition

Improvements: Various

Description: Funds provided in FY 2004 will be used for the following:

1. Emergency and hardship acquisitions at National Park System units for which acquisition funds are not otherwise available. The availability of funds for emergency and hardship acquisitions permits timely action to alleviate hardships and to prevent adverse land uses that threaten park resources;
2. Relocation costs that result from the acquisition of improved property at areas for which acquisition funds are not otherwise available; and
3. Payment of deficiency judgments in condemnation cases at areas for which acquisition funds are not otherwise available. The availability of funds to pay court awards in a timely manner ensures that the accumulation of interest on the deficiency will be minimized and will result in considerable savings to the Government.

Need: The funds requested would be used for the acquisition of emergency and hardship tracts at areas for which funds are not otherwise available. The funds will be used to pay deficiencies for condemnation cases previously filed in court and for the payment of relocation claims.



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**Fiscal Year 2004 National Park Service Federal Land Acquisition Program**

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Program or Park Area: **Inholdings and Exchanges**

Location: Servicewide

Land Acquisition Limitation Amount Remaining: N/A

Cost Detail:     **\$4.0 million**

No estimated annual operating costs are associated with this acquisition.

Improvements: Various

Description: An inholding is a parcel of land in a unit of the National Park System that was authorized before July 1959 (before Fiscal Year 1960). The National Park Service pursues, subject to the availability of funds appropriated for the acquisition of inholdings, an opportunity-purchase program by acquiring interests in inholdings offered for sale by landowners. The purchase of an inholding for an amount that exceeds \$150,000 and/or the appraised value must be cleared by the appropriate House and Senate Committees. Costs related to the acquisition of lands by exchange are incurred for title and appraisals, required surveys and clearances, and equalization payments when necessary.

Need: As of September 30, 2002, there were approximately 2,223 tracts in 32 units identified as inholding areas, totaling 32,035 acres with an estimated value of approximately \$244.5 million. The funds requested will be used, (1) to acquire inholdings, and (2) to cover costs (other than land acquisition administration costs) for title, appraisal, surveys and equalization payments required for exchanges in those areas for which acquisition funds are not otherwise available.



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**Fiscal Year 2004 National Park Service Federal Land Acquisition Program**

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Program or Park Area: **Civil War Battlefield Preservation Grants**

Location: Servicewide

Land Acquisition Limitation Amount Remaining: N/A

Cost Detail:     **\$2.0 million**

No estimated annual operating costs are associated with this acquisition

Improvements: Various

Description: Funds provided in FY 2004 will be used to provide grants to States and local communities for the purpose of acquiring lands or interest in lands to preserve and protect Civil War battlefield sites. This program originated with Public Law 105-277, the omnibus appropriations bill for FY 1999, which made funding from fiscal years 1998 and 1999 available for lands identified in the July 1993 Report on the Nation's Civil War Battlefields prepared by the Civil War Sites Advisory Commission. Grants were made subject to a 2-to-1 match, and properties could not be converted to other than public outdoor recreation uses without the approval of the Secretary of the Interior.

Additional funding was provided in the FY 2002 appropriation, as follows: "The Committee recognizes the demonstrated accomplishment of the Civil War Battlefield Preservation program, and therefore recommends \$11,000,000 for this program similar to the appropriation provided in fiscal year 1999. The Committee expects at least a 1:1 cost-share for these funds. The Committee also expects this appropriation to be sufficient for such battlefield acquisition for the next 3 years."

Public Law 107-359 (December, 2002) amended the American Battlefield Protection Act of 1996 and authorized \$10 million in Battlefield Protection Grants to be appropriated each year FY 2004 through 2008. According to the findings quoted in the Law, well over half of the 384 principal Civil War battlefields (as identified by the Civil War Sites Advisor Commission in 1993) were already lost, or were in imminent danger of being lost entirely or fragmented by development. Another 17 percent were cited as being in poor condition. The new law, like the FY 2002 appropriations language, recognized both the success of the Service's program to develop protections for these non-NPS sites, and the need to continue supporting the program.

Need: The number of unprotected sites and the rapid growth of development in the eastern United States create an urgent need to move this program forward as quickly as possible. While less than 20% of the \$11 million appropriated last year has actually been obligated to date, this fact is a result of the time consuming nature of identifying and developing partnerships, raising funds and finalizing land transactions. Given the immediacy of the danger to these sites, the additional requested funding will be needed without delay as the previous amounts are committed, in order to maintain continuity and momentum.



**Fiscal Year 2004 National Park Service Federal Land Acquisition Program**

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Program or Park Area: **Big Cypress National Preserve**

National Park Service Land Acquisition Priority (FY 2004): Priority No. 1

Location: South Florida

State/County/Congressional District: State of Florida/Collier, Dade, and Monroe Counties/Congressional Districts No. 14 and 20.

Land Acquisition Limitation Amount Remaining: \$18,232,000

Cost Detail: No estimated annual operating costs are associated with this acquisition

Date	Acres	Total Amount (\$000)
FY 2004 Request	About 137,000	<b>\$40,000</b>
Future Funding Need	About 412,000	\$80,000

Description: The Department of the Interior and the Collier Resources Company have reached an agreement in principle to acquire Collier's mineral rights underlying Big Cypress National Preserve. The Collier Family is the primary holder of the mineral rights under the National Preserve. The Colliers own all or a portion of the oil and gas rights within 79 percent of the sections within Collier County. The Colliers' ownership of these mineral rights predates the establishment of the National Preserve and their rights to develop those rights were expressly grandfathered by Congress when the National Preserve was established. It is estimated that there are approximately 40 million barrels of conventionally recoverable oil under Big Cypress.

Natural/Cultural/Resources Associated with Proposal: Restoration of the Everglades ecosystem is necessary to limit habitat destruction and to restore natural water flow patterns that are critical to the long-term viability of ecosystem resources. The State of Florida has taken the position that oil development in Big Cypress National Preserve would not be consistent with its coastal management plan. Numerous other parties oppose oil development in this protected area as inconsistent with ongoing State and Federal efforts to restore the Everglades ecosystem.

Threat: The Collier Resources Company has filed 26 plans of operation for exploration and production of the reserves within the National Preserve. Although the National Park Service may impose conditions on the development of oil and gas in the National Preserve, refusal to permit oil and gas exploration and production would subject the United States to significant takings claims.

Need: The funds requested, \$40,000,000, will be used to cover a portion of the total cost to acquire the mineral rights owned by Collier Resources Company at Big Cypress National Preserve. The Collier Resources Company will receive a total of \$120,000,000 for the mineral rights. The Collier Family believes that the mineral rights are worth in excess of \$120,000,000. The agreement with the Department of the Interior allows the Colliers to seek a tax donation, subject to the approval of the IRS, based on the excess value of the oil and gas rights. Legislation is required to implement the agreement.

**THIS REQUEST IS PART OF THE EVERGLADES RESTORATION EFFORT.**



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**Fiscal Year 2004 National Park Service Federal Land Acquisition Program**

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Program or Park Area: **Big Thicket National Preserve**

National Park Service Land Acquisition Priority (FY 2003): Priority No. 5

Location: Vicinity of Beaumont, Texas.

State/County/Congressional District: State of Texas/Hardin, Jasper, Jefferson, Liberty, Orange, Polk, and Tyler Counties/Congressional Districts No. 2 and 9.

Land Acquisition Limitation Amount Remaining: There is no limitation.

Cost Detail: Estimated annual operating costs of \$0.152 million are associated with this acquisition

Date	Acres	Total Amount (\$000)
FY 2004 Request	3,368	<b>\$5,400</b>
Future Funding Need	7,398	\$14,600

The total amount includes the cost of title, appraisal, environmental site assessment, acquisition, and relocation assistance.

Improvements: None

Description: Big Thicket National Preserve was authorized October 11, 1974, to preserve the natural, scenic, and recreational resources of a significant portion of the Big Thicket area. The Act of July 1, 1993, added to the Preserve 10,766 acres of timberland owned by three timber companies. The act directed that: (a) privately owned lands be acquired only with the consent of the owner, (b) lands owned by commercial timber companies be acquired only by donation or exchange, and (c) lands owned by the State of Texas or any political subdivision thereof may be acquired only by donation.

Natural/Cultural Resources Associated with Proposal: A great variety of plant and animal species coexist in this "biological crossroads of North America."

Threat: Timbering of non-Federal lands at the national preserve would endanger the fragile ecosystem of the Big Thicket area.

Need: Funds in the amount of \$5,400,000 are needed to purchase from The Conservation Fund (TCF) a portion of the acres added to the preserve in 1993 and previously owned by two timber companies. The funds requested are needed to commence acquisition from TCF. Both TCF and The Nature Conservancy are assisting the Service in the acquisition of the 1993 addition to the preserve.

Interaction with Landowners and Partners: By letter of March 9, 2001, the National Park Service requested the concurrence of The Conservation Fund (TCF) with a proposal that TCF assist in the acquisition of the lands added to the preserve in 1993. The concurrence of TCF was granted on April 11, 2001. A similar letter was sent to The Nature Conservancy (TNC) on October 17, 2001. TNC concurred on November 1, 2001. The landowners are willing sellers.



**Fiscal Year 2004 National Park Service Federal Land Acquisition Program**

Program or Park Area: **Hawaii Volcanoes National Park**

National Park Service Land Acquisition Priority (FY 2004): Priority No. 2

Location: On the Island of Hawaii

State/County/Congressional District: State of Hawaii/Island of Hawaii/Congressional District No. 2

Land Acquisition Limitation Amount Remaining: There is no limitation.

Cost Detail: No estimated annual operating costs are associated with this acquisition

Date	Acres	Total Amount (\$000)
FY 2004 Request	26,294	<b>\$5,000</b>
Future Funding Need	42,487	\$14,300

The total amount includes the cost of title, appraisal, environmental site assessment, acquisition, and relocation assistance.

Improvements: Residential and agricultural.

Description: Until November 2000, acquisition of lands adjacent or contiguous to the park could only be accomplished by donation, pursuant to the Act of June 20, 1938. The Act of November 13, 2000 (Public Law 106-510), authorized the acquisition, by donation, exchange, or purchase with donated or appropriated funds, of lands adjacent or contiguous to the park and determined to be necessary for proper rounding out of the park boundary. The act eliminated the requirement imposed by the Act of June 20, 1938, that such additional lands be acquired only by donation.

Natural/Cultural Resources Associated with Proposal: Due to current isolation by the nature of private ownership, cultural resources are largely undisturbed. At threat are avifauna that include the endangered forest birds Akepa and Hawaii creeper, and plant species that include the Mauna Loa silver sword. Development of the property would lead to degradation of those resources. This property essentially encompasses all of the southwest rift zone of Mauna Loa between the 800-ft to 12,600-ft levels of this mountain mass.

Threat: Subdivision of the property is a strong possibility. The impact of subdivision would be a direct threat on the property's resources and ecosystems and have negative impact on adjacent State forest areas through spread of invasive species and increased wildland fire potential.

Need: The funds requested would allow The Nature Conservancy (TNC) to execute the first option for the purchase of a 105,000-acre portion of the Kahuku Ranch. The National Park Service has obtained an appraisal indicating a total value of \$22,000,000 for the 115,000-acre ranch. Available funds (from appropriations for fiscal years 2000 and 2002) totaling \$7,472,614 will be used toward acquisition of the resource-rich Kahuku Ranch, that will likely be subdivided and developed if not acquired by the United States. TNC holds options to purchase the ranch. In fiscal year 2003, an additional \$8,500,000 was provided toward purchase of the ranch.

Interaction with Landowners and Partners: TNC has played a key role in developing a private sector bridge to the estate's board of trustees. The landowners are willing sellers and this Federal acquisition will be a partnership effort with TNC. In February 2001, the park held public hearings on this acquisition. From the 280 people who attended over the three days there was an expression of overwhelming support for Federal acquisition of the ranch and the preservation of the resources therein.



**Fiscal Year 2004 National Park Service Federal Land Acquisition Program**

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Program or Park Area: **Obed Wild and Scenic River**

National Park Service Land Acquisition Priority (FY 2004): Priority No. 4

Location: Vicinity of Wartburg, Tennessee.

State/County/Congressional District: State of Tennessee/Cumberland and Morgan Counties/Congressional District Nos. 3 and 4.

Land Acquisition Limitation Amount Remaining: None. A maximum appropriation of \$1,000,000 is permissible under the over-ceiling authority provided by Public Law 95-42. A ceiling increase is required to permit the requested appropriation.

Cost Detail: No estimated annual operating costs are associated with this acquisition

Date	Acres	Total Amount (\$000)
FY 2004 Request	700	<b>\$1,569</b>
Future Funding Need	531	\$893

The total amount includes the cost of title, appraisal, environmental site assessment, acquisition, and relocation assistance.

Improvements: Some residential.

Description: Obed Wild and Scenic River was established October 12, 1976, to preserve segments of the Obed River in free-flowing condition as a component of the National Wild and Scenic Rivers System. The Land Protection Plan for Obed Wild and Scenic River recommends acquisition of the 1,231 acres remaining in private ownership.

Natural/Cultural Resources Associated with Proposal: Forty-five miles of free-flowing streams are protected within the boundary of Obed Wild and Scenic River, offering Class II through IV whitewater, camping, hiking, and other activities.

Threat: As areas around Obed Wild and Scenic River continue to grow at an alarming rate, pressure for new housing in the Obed area continues to increase. The unprotected portions of the wild and scenic river area are presently used illegally by individuals on off-road vehicles. Significant resource damage has occurred including the removal of trees, trampling of vegetation, compaction of soil, sanitary issues, and trash.

Need: The funds requested would be used to acquire approximately 700 of the 1,231 privately owned acres remaining within the boundary of Obed Wild and Scenic River. The landowners have indicated willingness to sell. Failure to acquire these tracts would likely result in the sale and development of these tracts in a manner inconsistent with preservation of the wild and scenic river.

Interaction with Landowners and Partners: Of the 39 privately owned tracts remaining to be acquired within the boundary, only four owners indicated that they did not wish to sell their property. These acquisitions are supported by the local community and by the Congressional delegation. State organizations, including the Tennessee Wildlife Resource Agency, are extremely interested in ensuring that the property is acquired by the United States in order to reduce the controversy over river access. Non-profit groups including The Nature Conservancy, National Park and Conservation Association, Tennessee Clean Water Network, and Tennessee Citizens for Wilderness Planning have all indicated their support and willingness to assist with efforts to protect these tracts.



## Fiscal Year 2004 National Park Service Federal Land Acquisition Program

Program or Park Area: **Valley Forge National Historical Park**

National Park Service Land Acquisition Priority (FY 2004): Priority No. 3

Location: Southeastern Pennsylvania

State/County/Congressional District: Commonwealth of Pennsylvania/Chester and Montgomery Counties/Congressional District Nos. 7 and 13.

Land Acquisition Limitation Amount Remaining: \$1,983,435

Cost Detail: Estimated annual operating costs of \$0.430 million are associated with this acquisition

Date	Acres	Total Amount (\$000)
FY 2004 Request	62	<b>\$5,000</b>
Future Funding Need	217	\$10,000

The total amount includes the cost of title, appraisal, environmental site assessment, acquisition, and relocation assistance.

Improvements: Formerly a nursery of ornamental plants; currently a development plan is being considered.

Description: In considering the authorizing legislation of 1976, which defined the purpose of the park, the Committee on Interior and Insular Affairs noted in House Report No.94-1142, May 14, 1976 that; " the restoration and strengthening of the historic integrity of the Valley Forge site should be the first priority for any Federal management of the area. The Committee expects the Secretary to take early and positive steps, once the National Park Service assumes operational responsibilities, to manage the park with increased emphasis on the restoration and maintenance of the historic scene. Nonconforming recreational uses are to be phased down or relocated. Non-historic technological intrusions such as grass mowing are to be eliminated where possible and appropriate, and the rerouting or elimination of inappropriate and unsafe roadways is to be undertaken, as it is possible. "

Natural/Cultural Resources Associated with Proposal: The park contains General Washington's headquarters, original earthworks, a variety of monuments and markers, reconstructed log buildings, and replica cannon.

Threat: Acquisition is to follow the priorities established in the park's Land Protection Plan to protect land and structures that comprise the historic scene. The park sits at a major transportation hub, is trisected by state roads, a railroad corridor, and is utilized as a daily commuter route. Development is proposed for this site, which would negatively impact the cultural and natural resources of the property.

Need: The requested funds, combined with the anticipated FY 2003 appropriation, will be obligated to acquire the 18<sup>th</sup> century Waggonseiler farm and is located in an area that had been occupied by the Continental Army during its encampment at Valley Forge in 1777-1778. Cultural resources, both above and below ground, would be impacted by any development on this site. The loss of a cultural resource that is one of the very few remaining 18<sup>th</sup> century agrarian landscapes in the Valley Forge area would be unfortunate. In addition to the cultural resources which are likely located on this property, habitat for wildlife, wetlands, and a stream are contained there. A major east coast developer is proposing to develop the site with residences, which would have a negative impact on the National Historical Park.

Interaction with Landowners and Partners: The local community would like to prevent additional demands on its infrastructure and has expressed support for NPS acquisition that would remove this threat.